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FILED

No. 00 20 MAR 2 0 2000

OFFICE OF THE CLERK

In the Supreme Court of the United States

ALEXANDRE VOLOCHTCHOUK, an individual,
Petitioner

V.

Supreme Court of the State of California
Case S084005
Court of Appeal of the State of California
Second Appellate District, Division 5
Case B136602
Municipal Court of the State of California,
County of Los Angeles,
Los Angeles-Hollywood Judicial Dist., Div. 79,
Case 9HL00157
Superior Court of the State of California
County of Los Angeles
Case BR39239
Respondents

People of the State of California
Real Party in Interest

Petition for Writ of Certiorari to the Superior Court of the State of California, County of Los Angeles

PETITION FOR WRIT OF CERTIORARI

Volochtchouk

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27pp

QUESTION PRESENTED

I am Alexandre Volochtchouk , was unlawfully convicted and sentenced in the crimes I did not commit. There have been a necessity of intervention of Power in the High for cessation of outrageous triumph of lowlessness.

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(with some short commentary)

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To the Honorable Chief Justice,
William H.Rehnquist
and to the Honorable Associate Justices
John Paul Stevens, Sandra Day O'Connor,
Anthonin Scalia, Antony M.Kennedy,
David H.Souter, Clarence Thomas,
Ruth Bader Ginsburg,
Stephen G.Breyer
of the Supreme Court of the United States

from
Alexandre Volochtchouk
petitioner

PETITION FOR WRIT OF CERTIORARI

I am Alexandre Volochtchouk, petitioner, respectfully pray that a Writ of Certiorari (or other appropriate relief) issue to review the judgement of the Los Angeles County Superior Court, State of California (Hollywood branch, Susan M.Speer, Judge) or any other legal actions, restoring justice.

I. STATEMENT OF THE CASE and REASONS FOR GRANTING THE PETITION.

I am Alexandre Volochtchouk , citizen of Russia (want to be the U.S. citizen also) , 38 years old, producer of the entertainment industry . Have been married only 1 time, for 13 years to Tatyana Voloshchuk , have daughter (12) Dasha.

The circumstances force me to ask Supreme Court as a last appellate resort, about Appeal, because I was unlawfully convicted in the crimes I did not commit and the highest Courts of the State of California denied my request for review or any other redeem . The Supreme Court of the State of California (order Jan . 19, 2000) and Court of Appeal, denied my petition for Writ of Certiorari or other appropriate relief, although recognaize serious disturbances presenting in my case and judgement.

In accordance with Constitution and Rules, Review by the Supreme Court of the United States of a decision of the state courts should be granted "...where any title, right, privilege or immunity is specially set up or claimed by either party under the Constitution, or any treaty or statute of, or commission held or authority exercised under, the United States" ("American Courts",p.44 Clarence N. Callender) and where there is drawn in question uniformity of decision or settelment of importent questions of Law and Facts "...in cases, filed by a state against citizens of another state, aliens, or foreign country." (The essence of Art. III, sec. 2, U.S. Constitution; from "Legal Problem Solver" p.502, Reader's Digest).

The "Bill of Rights" protects individual from various unjust acts of Government and expresses the idea that person is not subject to the uncontrolled power of it and may ask Government for relief from unfair treatment. The U.S. Supreme Court has interpreted those words to mean the "Bill of Rights" applies to the states as well. ("The frase "due process of law" forbids the state to violate most rights protected by the "Bill of Rights" (and other rights also; Am . 9) . The statement, that a state cannot deny anyone "EQUAL PROTECTION OF THE

LAWS" has provided the basis for many Supreme Court rulings ... (" The World Book Encyclopedia ", 1980 , U.S.A. , v. 4, p. 798q.) .

In spite of absence of "Probable Couse", evidence, I was charged with 7(!) counts of California Penal Code:

Count 01, 273.5(a) PC - inflict corporal injury on spouse resulting in a traumatic condition.

Count 02, 242-243(e) PC - violence used against former spouse.

Count 03, 273a(a) PC - inflicting injury on a child under circumstanses likely to produce great bodily harm or death. (!)

Count 04, 273.5(a) PC - inflict corporal injury on spouse.

Count 05, 242-243(e) PC - violence used against former spouse.

Count 06, 422 (PC) - making a terrorist threat.

Count 07, 136.1(a)(2) - prevent witness from testifying.

In addition to all this horroble stuff, that I didn't do, I was declared insane despite of 4(!) medical-psychiatrycal examination-evaluations, categorically stating that I am mentally healthy person.

So far as, I did not commit any unlawul actions , therefore there are no , and can not be neither proofs nor evidences. And there is none. It must be seen! First , an innosent man is seized by the cops, forwarded to imprisonment , and then without any evidence, on him was being hanged out terrible crimes . The charges were trumped-up, the case (trial) was faked-up, but that was not enough. It was falsified and made heavier in the computer "Docket-record" one more time. And then , my only

considered (by Superior Court) appeal , was examined upon these twice-forged papers.

I was forced to sign the "Plea", I did it under duresse after long protracted pressure , for the purpose to extricate myself from jail . But that was not enough also. After signig , when I was brought into a court auditorium for the announcement of sentence , during that was being made forgery , count 3 (273 a(b) PC) - as I was told "emotinal reflection on child" was deftly replaced, substituted with 273a(a) - immeasurably more serious (and it has still been in my record) . I saw that, I was not allowed to speak.

The court's minute says that I had Jury Trial - pure fiction and untruth.

When I obtained (after jail) my indictment ("misdemeanor complaint") by Los Angeles City Attorney's Office against me , among other incomprehensible things, I've seen in count 02 and 05 :
"violence used against *"former spouse"*, and my criminal record in the same counts sais "cruelty against "*noncohabitant woman"*. I am perplexed, what do these words mean? I've been married only 1 time , and living for 15 years with only 1 woman, my wife!?

At "first appearance" I must get a copy of the charges and that I understand them. I didn't get and becoming understand only now. I did not even see my case. And still , as before , can't get it in full. ("In all criminal prosecutions, the accused shall enjoy the right... ...to be informed of the nature and cause of the accusation". (Am.6, U.S. Constitution)).

In the docket is being written that I was informed about my rights through audio-cassette - lying. Neither police nor court did it. (Miranda v. Arizona , 1966) .

Doctors say I am mentally healthy person , but court insists that I would need to take medications . By court order , in jail's hospital , I was made medical-psychiatric examination - evaluation . It says - all is well . But court did not like it and ordered another one , and another, and another - totally 5(!) . Until together with vakeel R. Samudrala they found his buddy - phisician P. Prakash-chndra (USC) who agreed to falsify it, even without any test ! Not to mention that he distorts , misrepresents our only talk and here and there simply lies . As well as, "official mental health counsellor", medical nurse, black woman, O.Waddell . One conversation, in broken English , without interpreter in the corridor of prison , and you are mentally ill and your life has been ruined!

My "private" attorney R.Samudrala , clearly worked against me , his client , but court did not "recommend" me to refuse him.

Next , court declared me insane and dangerous for people and for myself , at the same time sets a bail - a possibility of freedom and I was not in a mental health modul of jail even one day - all the time in general population moduls and cells . Consequently , either court (Susan M. Speer , judge) had no right to give me such opportunities or she was absolutely assured that I am healthy person (so it was , because she already had official report of my 1 psychiatrical evaluation on 15 -19 January 1999, right away on the next day after my first court day , made in LA County jail hospital by her order) and then I must be excused , because there was no any other reason and further was false imprisonment (or to be more precise, malicious detention). (The right of the people to be secure in their persons ...against unreasonable searches and seizures , shall not be violated , and

no Warrants shall issue, but upon probable cause... (The Bill of Rights , Am.4) . No person shall be ...deprived of life, liberty, or property, without du process of law (Am. 5, Am.14)).

When I first time got to Hollywood Court , I saw , that majority of officials were women , who made unprecedented, unlawful repression against innocent man, arbitrary violated Rules of Criminal Procedure, law and Constitution. This was corroborating the words of my wicked mother - in - law (who was my employee, one of them , who organized this plot) , to her daughter (my wife) . There are about 20 pages of these evidence. Among other things, she writes: ..."in California, all laws on the side (in hands) of women...". And now I feel it on my own skin, how they use it. In order to make my stay in jail unbearable , judge Susan M. Speer, emphasizes already false and malicios accusations that I'm "child-abuser" in the jail-accompnying papers by thick correcting earmarking to attract attention and provoke inmates and guards against me. In my last days, I was being moved perpetually, from cell to cell, and then I was sent to distant jail and several days before sentence slept only 3 hours , because I was awoken at 3 in the morning and returned back around midnight . Those torments finally broke me and court got what she wanted from me.

All those actions of government officials are infringements of international agreements (Universal Declaration of Human Rights (1948) , Helsinki Agreement (1975) and U.S. Constitution (Am. 5;6;14)). (This Constitution ...shall be Supreme Law of the Land; and the judges in every state shall be bound thereby . (Art.VI (2)). (All executive and judicial officers ...shall be bound by oath or affirmation to support this Constitution.(A.VI(3)

Next , how all that falsehood about me , have to be considered by my daughter Dasha, in "behalf" of whom it has been made ? She precisely knows I never harm her. What for?! She is smart, she is beauty, and she is my future . She loves me , I love her . With my absolutely pure life , in my record , I'm sentenced that I inflicted G. B. I . - great bodily injury on her , likly to produce great bodily harm or death (!) . Why not ask her ? Or her friends or teachers or neighbors ? She is 12 years old . If it would , it is not possible to hide , conceal . And I didn't know about that (I mean count). When forcely, I signed "No contest" in "Plea form" after 51 days of torture , I had seen another one. But in my "indictment", it turned out to be the same as in my current record ! It means only one certain thing - that was malicious accusation, entrapment and fraud from the very beginning , like all other in this conspiracy. People , who organized it with hands of my wife and LAPD unlawfully put me in jail, and put a slur upon me , are consummet masters of diverse dirty tricks . They made it because of envy, greed, and desire to control me . And because they were my employees who broke the contract and made other offences against me and wanted to secure themself.

After 51 days of "trial", (brazen arbitrariness - no witnesses, no evidence, no jury, no permission to tell my version of a story , no permission to have, even see charges, no case from my side, etc.), for my wife (by the way she does not know English) was written out one more summon for the next court day after 9 days more . That meant totally , as a minimum , would be about 60 days. It's not enough it was additional trick for the purpose of to force a "plea" , but it was one more sequel of

infringements of the constitutional rights (... In all criminal prosecutions the accused shall enjoy the rght to a speedy and public trial , by an impartial jury... ...and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence. (U.S. Constitution , Am. 6) . It guarantees that he (accused) must be given the possibility to show that his accuser lied or made mistake. (The World Book Encyclopedia, 1980, USA, v.4, p.798) .

What did they do for so long time without evidence, witnesses, Jury? Press out a "plea" from me. Here a couple citations of the facts that related as to the rulings of Superior Court and more earlier acts of Prosection during the determination of the "Probable Couse" and "Indictment" on preliminary stages: "...there must be evidence from which it can be determined that the offenses charges has been commited". (People v. Slaughter(1984) 35 Cal.3d 629,637; Vukman v. Superior Court (1981)116 Cal.App.3d 341,345)). "...Although reasonable inferences may be drawn from the evidence, such an inferences must be drawn from evidence , and not from suspicion, imagimation, speculation, supposition, surmise, conjecture or guess work. "(People v. Morris (1988) 46 Cal.3d 1,27).

Superior Court in the rulings upon my 1 appeal writes that "No Contest" (Nolo Contendere) does not require evidence. What such interpretation from ? "No Con-Contest"does not eliminnate a neccessity of proof (especially after two months of trial) but the other way round - constitute there must be so many of them and they so strong , that it makes no sense to resist and defence , in

other words, -"to contest". So, it is obvious, if somebody signs it after two months without evidence, he does it under duress. Furthermore, court had no rights to accept such a "Plea" without proper grounds or if there were a doubts, suspicions or discrepancy.

Superior Court confirmed the judgment by Municipal Court, but California Court of Appeal writes in its opinion (although denied my Petition for Writ of Certiorari), that this judgment is wrong (discrepancy). So, like that we've got Superior Court confirmed wrong judgment. Hence it follows that it made wrong decision too.

And so: 1) Municipal Court's judgment is wrong. 2) Superior Court rulings are wrong. 3) California Court of Appeal recognizes this fact, but denied Petition to correct this wrong. 4) Supreme Court of California denied Petition for Review. Therefore my sentence has still been wrong, and I stay wrongly sentenced, and without remedy. For the reasons, explained above, (without probable cause, I was not shown it, etc.) it is needed to quash an indictment ("Complaint"), like illegal, also. Hence, the whole case, as clearly false and the judgment as transparently unlawfull, cannot be left without attention and has to be overturned, overthrown and replaced with justificatory verdict of "Not Guilty". Consequently, in the interest of Justice, the requested remedy should be granted by U.S. Supreme Court, as by a last appellate resort, because otherwise will be legalized and constituted a serious precedent of lawlessness with all consequences for People, Low and Order.

II. CONCLUSION

It may thus be seen a true state of affairs, to wit, that I am innocent, and did not commit any crimes and was wrongfully accused and sentenced . Unlawful ab initio, process against me , like it must be, was not at all (periodically I was brought to Hollywood Court building , were I was asked if I'm ready to sign a "plea"). During this mistrial were commited violations of inter-international agreements of rights of the indiviual , flouting fundamental Articles and Amendments of the Constitution of the United States , including Fifth , Sixth and 14th Amendments . Anfairness , undisguised lie , mani-manipulation and abuse of power , forgeries in official documents , substituted Due Process of Low and legal procedures with arbitrariness .

For the reasons set forth, I respectfully urge high instance of the Supreme Court of the United States about consideretion of my matter and to grant the relief requested in the foregoing petition or other appropriate relief reviewing the trial court judgement and repeal it, or to direct a lower court to review my case or other legal action , restoring justice , because I am innocent and did not commit any crimes , but vice versa . And because the whole legal process and trial against me were made with arbitrariness and contraventions of General Principles of Law, the Rules of Criminal Procedures, Rights of Individual , Standarts of Fundamental Fairness and Articles and Amendments of the Bill of Rights and Constitution of the United States.

Respectfully submitted: Volochtchouk

Alexandre Volochtchouk

June 20, 2000, Hollywood, California, U.S.A.

III CONSTITUTIONAL PROVISIONS INVOLVED

CONSTITUTION OF THE UNITED STATES

Preamble: *We the people of the United States, in order to form a more perfect Union, establish Justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.*

Article III, Section 2: *The judicial power shall extend to all cases, in low and equity, arising under this Constitution , and treaties made , or which shall be made , under their authority; - to all cases ...between a state and citizens of another state ...and between a state, or the citizens thereof, and foreign states, citizens or subjects.*

Article VI(2): *This Constitution ...shall be Supreme Low of the Land; and the judges in every state shall be bound thereby.*

Article VI (3): *All executive and judicial officers ...shall be bound by oath or affirmation to support this Constitution.*

Amendment 4: *The right of the people to be secure in their persons ...against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause...*

Amendment 5; (Amendment 14, Section1): *No person shall be ...deprived of life, liberty, or property, without du process of law...*

Amendment 6: *In all criminal prosecutions, the accused shall enjoy the right ...to be informed of the nature and cause of the accusation.*

IV. OPINIONS, ORDERS BELOW, and JURISDICTION

a). Order of the Appellate Division of the Superior Court of the State of California , County of Los Angeles, (October 19, 1999; Superior Court case No.BR 39239) affirmed illegal sentence of a Trial Court. It's a strange order , strange action ; - it confirms the section of California Penal Code that does not exist in the order of Trial Court , wich it confirms (?!) and that I signed in my "Plea Form". Did Superior Court see,what it confirmed? Was it aware about what it did? Does it know , how is such action called in legal language ?

b). Order of Trial Court, Municipal Court of the State of California, County of Los Angeles, Hollywood Judicial District, (part of Superior Court)(March 3, 1999; Municipal Court case No.9HL00157). This order sentencing me with Section of California Penal Code, another, different then I was indicted by Los Angeles City Attorney that makes it illegal and demonstrates that I did not see and did not know the charges.

c). Order of the Court of Appeal of the State of California, Second Appellate District, Division 5, (Novemb. 23, 1999; Case No. B136602) notes and recognizes discrepancy, but denied Review (Petition for Writ of Certiorari).

d). Order of the Supreme Court of the State of California (January 19, 2000; Case No. S084005) denying Petition for Review (Rehearing) of the Denial of the Petition for Writ of Certiorari.

e). Indictment ("Complaint") against me (January 14 1999, Case No. 9HL00157) issued by Los Angeles City Attorney's Office has been made without Probable Cause , evidence. Sections of Penal Code in it are different than in Plea Form , signed by me , and Sentencing Order ("Sentencing Sheet") by Trial Court.

f). Plea Form (March 3, 1999; Municpal Court Case No. 9HL00157) was sign by me under duress. Trial Court minute and Complaint is contrary to it. California Court of Appeal Second Appellate District recognizes discrepancy, but denied Review.

g). Docket from Court Computer data. Among other falsehood sais, that I had Jury Trial , that I was advised about my rights via audio cassette; count 3 contradicts to Plea Form and Sentencing Sheet.

h). Medical decisions of Neuropsychiatric Institute University of California, Los Angeles (UCLA) and Cortex Neuropsychology Group, plus two other, say I am mentally healthy and I don't need any therapy. But Court insists on the opposite.

FILED
Los Angeles Superior Court
OCT 19 1999
John A. Clarke, Clerk
"s/Schneider".
By B.J. SCHNEIDER, deputy

APPELLATE DIVISION OF THE SUPERIOR COURT
STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

PEOPLE OF THE STATE OF CALIFORNIA, *Plaintiff and Respondent* V. ALEXANDRE VOLOCHTCHOUK *Defendant and Appellant*	Super. Ct. No. BR 39239 Municipal Court of the Los Angeles Judi. Dist. No. 9HL00157 MEMORANDUM JUDGMENT

This cause having been submitted for decision , and fully considered, judgment is ordered as follows:

The judgment is affirmed.

Appellant appeals from convictions for spousal battery resulting in traumatic condition (Pen. Code, 273.5, subd. (a)) and inflicting injury on a child under circumstances likely to produce great bodily harm or death (Pen. Code, 273a, subd. (a)).

The appeal is solely on the clerk,s transcript. Appellant was charged with two counts of spousal battery resulting in a traumatic condition (Pen. Code, 273.5, subd. (a)), two counts of spousal battery (Pen. Code, 242/243, subd. (e)), infliction of injury on a child under circumstances likely to produce great bodily

harm or death (Pen. Code, 273a, subd. (a)), making a terrorist threat (Pen. Code, 422), and dissuading a witness from testifying (Pen. Code, 136.1))

The docket reflects appelant, who was represented by private counsel below, pleaded no contest to one count of spousal battery resulting in traumatic condition (Pen. Code, 273.5, subd. (a)) and infliction of injury on a child under circumstances likely to produce great bodily harm or death (Pen. Code, 273a, subd. (a)). The remaining counts were dismissed pursuant to Penal Code section 1385.

Appellant was placed on three years summary probation on both counts on the conditions, inter alia, that he serve 75 days in the county jail (with 75 days credit for time served), complete a one-year parenting class, complete psychological counseling, pay a $200 domestic violence fine and complete a one year domestic violence counseling program. Appellant filed a timely notice of appeal from judgment.

Appellant contends there was insufficient evidence to support his convictions. However, "[w]here the defendant pleads guilty,* there are no facts to be asessed. And since a plea of guilty admits every element of the offense charged, there is no innocence to be established." (People v. Hayton(1979) 95 Cal. App.3d 413, 419.)

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*While in this case appellant pleded no contest, for purposes of this appeal the effect of the plea is the same asif appellant pleaded guilty. (Se Pen. Code, 1016, subd. (3).)

"[A]ppealable issues from a municipal court judgment following a guilty plea are ...restricted to those that raise 'reasonable constitutional, jurisdictional, or other gfounds going to legality of the proceedings," [Citations.] " People v. Egbert (1997) 59 Cal. App. 4th 503, 508-509.) While appellant contends his plea was coerced and he did not agree to plead no contest to violation of Penal Code section 273a, subdivision (a), appellant has waived the right to attack the validity of his plea since he neither moved to withdraw the plea nor filed a petition for writ of error coram nobis. (See People v. Marsh (1984) 36 Cal.3d 134, 140; People v. Pinon (1973) 35Cal. App. 3d 120, 125-126, fn. 6)

The judgment is affirmed.

"s/Schiavelly, P.J."

We concur.

"s/Todd, J."
"s/Kakita, J."

MUNICIPAL COURT OF THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, LOS ANGELES-HOLLYWOOD JUDICIAL DISTRICT

Misdeminor Sentencing Sheet

Dated: 3 - 3 - 99
People v. Alexandre Volochtchouk
Interpreter: Irene Vianu
Judge: Speer
Defense Counsel: R. Samudrala
Defendant's Signature: "s/Volochtchouk"
Case No.: 9HL00157 - 07; Division 79
Language: Russian
Reporter: M. Knobel
DCA: W. Rivera

Count: 3 **Charge: PC 273 a (b)**

Defendant Convicted of: 273 a (b) PC

Sentence

Imposition of sentence is suspended and Defendant is conditionally sentenced to 48 months of Summary Probation on the following terms and conditions:

Obey all laws, rules, and orders of the Court.

Do not use or threaten to use force or violence against anyone, including Dasha + Tatyana Voloshchuk

Do not annoy, harass, or molest anyone.

Do not own, use, threaten to use, posess, buy or sell deadly or dangerous weapons, including, but not limited to, firearms, knives or other concealable weapons.

Pay a restitution fine in the sum of $100

Defendant is ordered to obey all protective orders issued in this or any other case.

Complete one year Parenting Classes

Psychological counseling + take medications as prescribed

Count(s) ? are dismissed on the People's motion persuant to Penal Code Section 1385.

Defendant is ordered to appear on all dates above in this Division at 8:30 a.m., unless otherwise specified.

The foregoing Conditional Sentence is imposed.

"s/S. Speer" Judge.

Count: 4 Charge: PC 273.5

Defendant Convicted of 273.5 (A) PC

Sentence

Imposition of sentence is suspended and Defendant is conditionally sentenced to 36 months of Summary Probation on the following terms and conditions:

Serve 75 days in the County jail, consecutive, credit 50 + 25 = 75 days actual. 150 CJ imposal + stayed

Pay a $200.00 Domestic Violence Payment per Penal Code, sec. 1203.097(a)(5).

Complete a one year Domestic Violence Counseling Program.

Psycl. counsling + take all medications.

The foregoing Conditional Sentence is imposed.

"s/S. Speer" Judge.

Release. Booking #5922698

FILED
Nov 23 1999
Joseph A. Lane Clerk
J. Belcher Deputy Clerk

IN THE COURT OF APPEAL
OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION FIVE

Alexandre Volochtchouk,	)	B136602
Petitioner,	)	
v.	)	(Super. Ct. No.BR39239)
The Superior Court of	)	(Mun. Court, Los
Los Angeles County,	)	Angeles Judicial Dist.,
	)	No.9HL00157)
Respondent.	)	(Susan M. Speer, Judge)
The People,	)	
Real Party in Interest	)	
	)	Order

THE COURT:

The court has read and considered the petition for writ of certiorari, filed November 9, 1999. The petition is denied. *(People* v. *DeVaughn* (1977) 18 Cal.3d 889, 895; *People* v. *Hayton* (1979) 95 Cal.App.3d 413, 419.)

The court notes that there is a discrepancy between petitioner's plea form, wich indicates petitioner is pleading no contest to a violation of Penal Code section 273a, subdivision (b), a misdemeanor, and the municipal court's minute order of March 3, 1999, wich indicates that petitioner pled guilty to a violation of Penal Code section 273a, subdivision (a), a "wobbler"

punishable as either a misdemeanor or a felony. The opinion of the superior court reflects a conviction under section 273a, subdivision (a).

Petitioner has not provided a copy of the plea transcript. If the judgment does not correctly reflects the plea, petitioner may file a motion in the municipal court to have the judgment corrected.

"s/GRIGNON, Acting , P.J."

"s/GODOY PEREZ, J."

"s/O'NEILL, J.*"

* Judge of the Ventura County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

Second Appellate District, Division Five, No.B136602
S084005

IN THE SUPREME COURT OF CALIFORNIA
EN BANC

==========

supreme court
FILED
JAN 19 2000
Robert Wandruff Clerk

deputy

ALEXANDRE VOLOCHTCHOUK, Petitioner

v.

LOS ANGELES COUNTY SUPERIOR COURT,
Respondent

THE PEOPLE, Real Party In Interest

==========

Petition for review DENIED.

GEORGE

Chief Justice

CORTEX NEUROPSYCHOLOGY GROUP
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fax (818)995-4171

Maura Mitrushina, Ph.D
American Bourd of
Professional Psychology,
Diplomate in Clinical
Neuropsycholgy

Ellen Shirman, Psy. D
Clinical Neuropsychlogy

June 28, 1999

Mr. Alexandre Volochtchouk, a 37-year-old married male was seen for court-ordered psychological evaluation on 06/23/99. Mr. Volochtchouk is a Russian-born talented singer, musician and composer who earned a sustained international acclaim. He was awarded a green card for people with extraodinary activities and currently resides in the USA with his wife and their 11-year-old daughter. He is an owner of the Dash Music Production. Mr. Volochtchouk's legal history revealed no prior arrests or incarcerations. Likewise, his psychiatric history is negative for emotional disturbances, behavioral problems, psychiatric treatment, drug or alcohol abuse.

Clinical interview and observations revealed an unremarkable mood and affect with no disturbances in either thought content or thought process.

In accord, on the Minnesota Multiphasic Personal Inventory - 2 (MMPI - 2), he produced a valid profile

with no elevations on clinical scales. Individuals who obtain similar profiles are usually described as stable and well adjusted with no behavioral or emotional problems. Thus, his MMPI - 2 profile suggested against the presence of a mood or personality disoder.

In summary, the psychological evaluation of Mr. Volochtchouk revealed a well functional and adjusted individual with no signs or symptomps of a mental disorder. Therefore, Mr. Volochtchouk requires no therapeutic interventions at the present time.

If you have any questions, please feel free to contact me at (818) 995-4477.

"s/Ellen Shirman, Psy. D."
Clinical Psychologist/Neuropsychologist
LIC#:PSY13806